

Publications

Immigration Alert: H-1B Premium Processing Temporarily Suspended Starting April 3, 2017

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The U.S. Citizenship and Immigration Services (USCIS) has announced that it will temporarily suspend Premium Processing (which guarantees adjudication in 15 calendar days) for **all** H-1B visa petitions filed on or after April 3, 2017. This includes H-1B petitions that are subject to the fiscal year cap (regular and master's degree caps), as well as H-1B extensions, change of employer petitions, amended petitions, and those that are cap-exempt. The temporary suspension of Premium Processing may last up to 6 months.

During the temporary suspension, USCIS will continue to consider requests to expedite certain petitions based on established criteria set by USCIS, such as severe financial loss to the company or emergency situations.

USCIS will make another announcement when they resume Premium Processing service. Please note that the suspension of Premium Processing only applies to the H-1B category, and does not apply to other categories eligible for Premium Processing.

The current processing time for H-1B petitions varies depending on the basis of the petition and where the petition was filed, ranging from four months (H-1B extensions filed in Nebraska) to up to a full year (H-1B extensions filed in Vermont). **If the H-1B beneficiary has a need to travel abroad, or requires approval of the petition prior to having work authorization, a request for premium processing may need to be filed prior to April 3 to ensure that the petition is approved in time.**

If you have any questions regarding the temporary suspension of premium processing, or require a currently pending petition to be upgraded to premium processing prior to the suspension going into effect, we encourage you to contact your Vorys attorney.